

AMENDED IN SENATE MAY 28, 2013

AMENDED IN SENATE MARCH 20, 2013

SENATE BILL

No. 231

Introduced by Senator Correa

(~~Coauthor: Senator~~ Coauthors: *Senators Block and Steinberg*)

(Coauthors: Assembly Members Ammiano, *Garcia*, Lowenthal, and Ting)

February 11, 2013

An act to add Article 11 (commencing with Section 33450) to Chapter 3 of Part 20 of Division 2 of Title 2 of the Education Code, relating to bullying.

LEGISLATIVE COUNSEL'S DIGEST

SB 231, as amended, Correa. Bullying: California Bullying Prevention ~~Hotline~~. *Coordinating Center*.

Existing law defines “bullying” as any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, as defined, and including one or more acts of sexual harassment, threats, or intimidation, directed against school district personnel or pupils, committed by a pupil or a group of pupils, that would cause a reasonable pupil, as defined, to be in fear of harm to his or her person or property, to experience a substantially detrimental effect on his or her physical or mental health, to experience substantial interference with his or her academic performance, or to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

This bill would enact the Michael Joseph Berry Peer Abuse Prevention and Awareness Act of 2013, pursuant to which the California Bullying

~~Prevention-Hotline Coordinating Center~~ would be established. ~~The hotline would,~~ to be administered by the State Department of Education. The bill would require the ~~State Department of Education, in consultation with the Student Mental Health Initiative of the State Department of Health Care Services and other entities deemed appropriate, to contract with an entity that has~~ Superintendent of Public Instruction to appoint members to a coordinating center advisory council, which would include individuals who have experience in specified areas, including, among others, hotline telephone services, social media, and behavioral health services, ~~crisis prevention and intervention services, suicide prevention and intervention services, and with providing services in a linguistically and culturally competent manner.~~ The bill would ~~specify the types of information to be communicated to callers to the hotline.~~ The bill would require the State Department of Education *department* to recommend to school districts appropriate guidelines, best practices, and information that school districts may disseminate to pupils and their families about the existence, goals, and objectives of the California Bullying Prevention-Hotline Coordinating Center, as specified.

The bill would provide that its operation in any fiscal year is contingent upon the certification by the Superintendent ~~of Public Instruction~~ that sufficient funding is available for the implementation of this bill in that fiscal year, *and would prohibit the use of General Fund moneys to implement the bill.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Article 11 (commencing with Section 33450) is
2 added to Chapter 3 of Part 20 of Division 2 of Title 2 of the
3 Education Code, to read:
4
5 Article 11. The Michael Joseph Berry Peer Abuse Prevention
6 and Awareness Act of 2013
7
8 33450. (a) This article shall be known, and may be cited, as
9 the Michael Joseph Berry Peer Abuse Prevention and Awareness
10 Act of 2013.

(b) It is the intent of the Legislature to enact legislation to establish a California Bullying Prevention ~~Hotline~~ *Coordinating Center*, which shall address issues relating to bullying and peer abuse, with a particular focus on ~~those issues that are impacting~~ *impact* pupils in kindergarten and grades 1 to 12, inclusive, and their families, peers, and communities.

33451. (a) The California Bullying Prevention ~~Hotline~~ *Coordinating Center* shall be administered by the ~~State Department of Education~~ *department*.

(b) ~~The State Department of Education, in consultation with the Student Mental Health Initiative of the State Department of Health Care Services and other entities as deemed appropriate by the State Department of Education, shall contract with an entity that has experience in California Bullying Prevention Coordinating Center shall establish a Coordinating Center Advisory Council. Members of the advisory council shall include individuals who have experience in areas including, but not limited to, all of the following areas:~~

(1) Hotline telephone services, ~~which~~ *that* are nationally accredited and provided on a regional or statewide basis.

(2) *Social media, such as texting, blogging, chat rooms, and other forms of cyber communications.*

~~(2)~~

(3) Behavioral health services.

~~(3)~~

(4) Crisis prevention and intervention services.

~~(4)~~

(5) Suicide prevention and intervention services.

~~(5)~~

(6) Providing services in a linguistically and culturally competent manner.

(7) *Other areas related to bullying and peer abuse.*

(c) *Members of the advisory council shall be appointed by the Superintendent, and serve at his or her pleasure. Members of the advisory council shall be reimbursed only for reasonable expenses associated with the performance of their duties, and shall not receive any salary, per diem, or other compensation.*

33452. (a) ~~The overarching~~ goals and objectives of the California Bullying Prevention ~~Hotline~~ *Coordinating Center* shall

1 include, but not necessarily be *are not* limited to, communicating
2 with callers and providing information about all of the following:
3 (1) ~~Assessment of the bullying and peer abuse reported by~~
4 ~~callers.~~
5 (2) ~~Ensuring the safety of individuals, as related to bullying and~~
6 ~~peer abuse.~~
7 (3) ~~Educating callers about the causes and prevention of bullying~~
8 ~~and peer abuse.~~
9 (4) ~~Referring callers to resources for addressing bullying and~~
10 ~~peer abuse.~~
11 (b) ~~The specific responsibilities, activities, and services that~~
12 ~~shall be provided through the California Bullying Prevention~~
13 ~~Hotline shall be determined by the State Department of Education,~~
14 ~~in collaboration with the Student Mental Health Initiative of the~~
15 ~~State Department of Health Care Services and other entities as~~
16 ~~deemed appropriate by the State Department of Education, and~~
17 ~~shall also include appropriate input and recommendations from~~
18 ~~pupils, advocates, families, community-based organizations, and~~
19 ~~individuals who have expertise in issues related to mental health,~~
20 ~~peer abuse and bullying, and cultural and linguistic competence.~~
21 *(1) Providing technical assistance to the department, school*
22 *districts, and other appropriate entities on best practices,*
23 *strategies, and other interventions that may assist in reducing the*
24 *incidence of bullying and peer abuse.*
25 *(2) Providing recommendations through which pupils, families,*
26 *school personnel, and other stakeholders may access existing*
27 *resources and supports that are related to bullying and peer abuse.*
28 *(3) Providing recommendations through which the department*
29 *may improve the collection and analysis of data related to bullying*
30 *and peer abuse.*
31 *(4) Providing recommendations on future legislation,*
32 *regulations, and public policy that could be implemented to reduce*
33 *the incidence of bullying and peer abuse.*
34 *(5) Providing recommendations on future antibullying*
35 *communication strategies, such as a bullying prevention hotline.*
36 (e)
37 (b) ~~The State Department of Education department~~ shall
38 recommend to school districts appropriate guidelines, best
39 practices, and information that school districts may disseminate
40 to pupils and their families about the existence, goals, and

objectives of the California Bullying Prevention—Hotline
Coordinating Center.

(d)

(c) The ~~State Department of Education~~ *department* shall
recommend ~~to that~~ school districts ~~that include~~ appropriate
information about the California Bullying Prevention Hotline ~~also~~
~~be included~~ *Coordinating Center* on ~~their~~ *the school district's*
Internet Web sites ~~and site~~, in any ~~new revisions~~ *revision* of ~~their~~
a school's comprehensive school safety plans ~~as well as plan~~, and
in any new materials, material developed that relates to issues of
bullying or peer abuse, such as ~~their~~ *a school's* annual parent
newsletter, ~~that are developed relating to issues of bullying or peer~~
abuse.

(e)

(d) The ~~State Department of Education~~ *department* shall also
recommend that school districts provide information on the
California Bullying Prevention Hotline *Coordinating Center* to
all pupils, ~~and their families~~, who are involved in any complaint
procedure related to ~~complaints~~ of peer abuse, bullying,
harassment, or discrimination, *and to their families*.

33453. (a) The operation of this article in any fiscal year is
contingent upon the certification by the Superintendent that
sufficient funding is available for the implementation of this article
in that fiscal year.

(b) *General Fund moneys shall not be used to implement this
article.*